

MESSAGE NO: 5059201 MESSAGE DATE: 02/28/2005

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-489-805

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2002 TO 06/30/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION OF PARTIAL RESCISSION OF ANTIDUMPING ADMINISTRATIVE
REVIEW OF ANTIDUMPING DUTY ORDER OF CERTAIN PASTA FROM TURKEY (A-489-805)

MESSAGE NO: 5059201

DATE: 02 28 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 489 - 805

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PERIOD COVERED: 07 01 2002 TO 06 30 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTIFICATION OF PARTIAL RESCISSION OF ANTIDUMPING
ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER OF
CERTAIN PASTA FROM TURKEY (A-489-805)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON
CERTAIN PASTA FROM TURKEY (A-489-805), COVERING THE PERIOD
07/01/2002 THROUGH 06/30/2003 HAS BEEN RESCINDED IN PART FOR THE
FOLLOWING FIRMS:

BESLEN MAKARNA GIDA SANAYI VE TICARET, A.S.

BESLEN PAZARLARMA GIDA SANAYI VE TICARET A.S.

GIDASA SABANCI GIDA SANAYI VE TICARET, A.S. (SUCCESSOR TO MAKTAS
MAKARNACILIK VE TICARET, A.S.)

OBA MAKARNACILIK SANAYI VE TICARET, A.S.

THE REVIEW HAS BEEN RESCINDED AT THE REQUEST OF THE PETITIONERS,
NEW WORLD PASTA COMPANY, AMERICAN ITALIAN PASTA COMPANY, BORDEN
FOODS CORPORATION AND DAKOTA GROWERS PASTA COMPANY. THIS NOTICE

OF PARTIAL RESCISSION WAS PUBLISHED IN THE FEDERAL REGISTER ON
08/06/2004. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION DURING THE PERIOD LISTED BELOW AT THE CASH DEPOSIT
OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

CERTAIN PASTA FROM TURKEY
(A-489-805) PERIOD: (07/01/2002 - 06/30/2003)
LIQUIDATE ALL ENTRIES FROM ALL FIRMS EXCEPT:

FILIZ GIDA SANAYI VE TICARET A.S.

TAT KONSERVE A.S. (SUCCESSOR-IN-INTEREST TO PASTAVILLA
MAKARNACILIK SAN. V. TIC. A.S.)

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND
PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH
DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT
THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER
PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO
THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.
SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR
ASSESSES INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS
DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST
PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS

ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING AND/OR COUNTERVAILING DUTIES, CBP SHOULD INCREASE THE ANTIDUMPING DUTIES BY THE AMOUNT OF ANTIDUMPING AND/OR COUNTERVAILING DUTIES REIMBURSED IN ACCORDANCE WITH THE ABOVE REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT

PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND INCREASE THE ANTIDUMPING DUTIES BY THE AMOUNT OF ANTIDUMPING AND/OR COUNTERVAILING DUTIES REIMBURSED.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O3:DM).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party